

REMARKS

Claims 1-4 have been rejected under 35 USC 102(b) as anticipated by U.S. Patent Application Publication No. 2001/0050532 (Eida). Applicants respectfully traverse this rejection.

Claim 1 as amended states that each of the color filter layers is confined to an area of a corresponding pixel and overlaps with the second planarization insulating film by a length that is larger than a sum of a thickness of the anode layer and a thickness of the first planarization insulating film located above the color filter layers. Because each color filter is confined to a corresponding pixel and adjusted to the color of that pixel, a full color display presentation with a white light source is achieved. Under this construction, the claimed overlapping between the color filter layer and the second planarization insulating film reduces the white light leakage and the color mixing among the pixels which otherwise would occur due to the confinement of each color filter layer to the corresponding pixel. See, for example, page 4, lines 11-14, of the specification.

The Examiner equates Eida's color filter 11 to the claimed color filter layer, lower electrode 2 to the claimed anode layer, planarizing layer 10 to the claimed first planarization insulating film and intermediate insulating layer 3 to the claimed second planarization insulating film. The Examiner also equates one of the two device components, which are given reference number "6" in Eida's FIG. 9 and not explained at all in Eida, to the claimed first planarization layer. For the teaching of the claimed overlapping between the color filter and the second planarization insulating film, the Examiner then points to Eida's FIG. 9, Eida's paragraph [0133] disclosing that the thickness of the anode layer is 10 nm to 1 μ m, paragraph [0160] disclosing that the thickness of the second planarization insulating film is 0.01 to 50 μ m with striped patterning having a line width of 5 to 200 μ m, and paragraph [0219] disclosing that the thickness of the first planarization insulating film is 100 nm to 100 μ m. Even though the Examiner does not articulate the application of these cited numbers to find the claimed overlapping, his reasoning seems to be that Eida's second planarization insulating film overlaps with the color

filter layer 11 in its entirety because Eida's color filter layer 11 covers the entire device area including a plurality of pixels arranged in a matrix configuration. Thus, the Examiner seems to contend that the claimed overlapping could be found by manipulating the cited numbers.

Applicants respectfully disagree.

Claim 1 as amended states that the color filter layer is confined to the area of the corresponding pixel. However, as explained above Eida's color filter layer 11 covers all the pixels and is not confined to one pixel, contrary to the claim language. Applicants note that the color filter layers 11 shown in Eida's FIG. 3 are confined to corresponding pixels. However, the color filter layers 11 shown in Eida's FIG. 3 do not disclose that the overlapping between the color filter and the second planarization insulating film is larger than the sum of the thickness of the anode layer and the thickness of the first planarization insulating film located above the color filter layers. In this structure of Eida, the only portion of the second planarization insulating film 3 overlapping with the isolated color filter layer 11 is the portion that is on the anode layer 2. Eida says nothing about the dimensions of this portion of color filter layer 11, which overlaps with the second planarization insulating film.

Claim 4 recites substantially the same overlapping structure as claim 1. Thus, the rejection of claims 1-4 under 35 USC 102(b) on Eida should be withdrawn because Eida does not teach or suggest the claimed overlapping between the color filter and the second planarization insulating film.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition

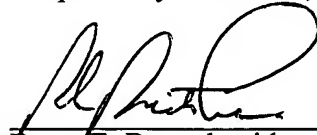
for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to

Deposit Account No. 03-1952, referencing Docket No. **492322016000**.

Respectfully submitted,

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